



W.P.(MD) No.4200 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.4200 of 2025

and

W.M.P.(MD)No.3020 of 2025

A.Gangatharan

... Petitioner

-Vs-

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

3.The President,
Thennamanadu Village Panchayat,
Orathanadu Taluk, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of eviction passed by the 2nd respondent dated 13.01.2025 and quash the same insofar as the petitioner is concerned and consequently, to direct the respondents 1 and 2 to issue assignment patta to the petitioner within a reasonable time as may be fixed by this Court.



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For Petitioner : Mr.N.Senthil Kumar
For R1 & R2 : Mr.P.Thilak Kumar,
Government Pleader

ORDER

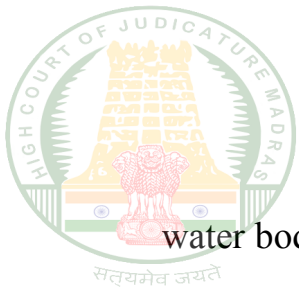
[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.The eviction notice issued by the 2nd respondent dated 13.01.2025 is under challenge in this Writ Petition.

3.Heard Mr.N.Senthil Kumar, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 and 2. Considering the nature of order proposed to be given in this petition, notice to the 3rd respondent is dispensed with.

4.A perusal of the typed set of papers filed in support of this petition would show that earlier one Ganeshan filed Public Interest Litigation in W.P.(MD)No.1558 of 2020, seeking removal of the encroachment made by the respondents 4 to 6 therein on the ground that the encroachment has been made on



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water body. Pursuant to the same, the authorities concerned issued eviction notice to the encroachers. Challenging the same, the 4th respondent therein / Ramesh filed W.P.(MD)No.3884 of 2020, seeking quashment of the eviction notice.

5.This Court, while hearing those Writ Petitions vide order dated 19.12.2024, directed the authorities concerned to serve notice to all the parties concerned and thereafter, take further steps in accordance with law and if there are any encroachments, the same have to be removed and also directed to complete the entire process on or before 31.01.2025.

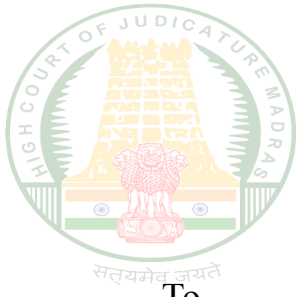
6.Pursuant to the said direction only, the 2nd respondent has passed the present impugned eviction notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. Therefore, we are not inclined to interfere with the same. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
18.02.2025

NCC : Yes / No
Index : Yes / No

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1.The District Collector,
Thanjavur District, Thanjavur.

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